

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/083,556	YAMAURA ET AL.	
	Examiner	Art Unit	
	Huyen X. Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 6/16/2005.
2.  The allowed claim(s) is/are 1-18.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*W. R. YOUNG  
PRIMARY EXAMINER*

## DETAILED ACTION

### ***Allowable Subject Matter***

1. Claims 1-18 are allowed over prior art of record. The following is an examiner's statement of reasons for allowance: Gao (US 6556966) discloses a speech compression system with a special fixed codebook structure and a new search routine is proposed for speech coding. The system is capable of encoding a speech signal into a bitstream for subsequent decoding to generate synthesized speech. The codebook structure uses a plurality of subcodebooks. Each subcodebook is designed to fit a specific group of speech signals. A criterion value is calculated for each subcodebook to minimize an error signal in a minimization loop as part of the coding system. An external signal sets a maximum bitstream rate for delivering encoded speech into a communications system. The speech compression system comprises a full-rate codec, a half-rate codec, a quarter-rate codec and an eighth-rate codec. Each codec is selectively activated to encode and decode the speech signals at different bit rates to enhance overall quality of the synthesized speech at a limited average bit rate. Sano (US 6052660) teaches a CELP coder/decoder system including adaptive and fixed codebooks. Both Gao and Sano fail to specifically disclose an excitation information encoding means that includes: a fixed excitation encoding unit for evaluating encoding distortions of fixed code vectors stored in a plurality of fixed excitation code books to determine said fixed excitation code; a first periodicity providing unit for, when said encoding distortions of said fixed code vectors are evaluated, emphasizing periodicity of a fixed code vector output from at least one fixed excitation code book by use of a first

periodicity emphasis coefficient adaptively determined based on a predetermined rule; and a second periodicity providing unit for emphasizing periodicity of a fixed code vector output from at least one fixed excitation code book by use of a fixed second periodicity emphasis coefficient. Furthermore, it would have not been obvious to one of ordinary skill in the art at the time of invention to modify Gao in order to obtain the claimed invention. Therefore, claims 1-18 are allowed over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

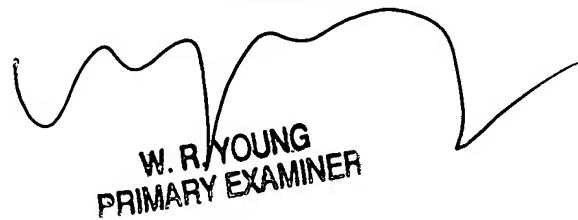
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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9/1/2005



W. R. YOUNG  
PRIMARY EXAMINER